

REMARKS

Claims 5-10 and 22-27 are pending in this application. Claims 5-10 have been amended. Claims 22-27 have been added. The specification has been amended to clarify a typographical error noticed by the Examiner. Claim 5 has also been amended to cover statutory subject matter and the Applicants respectfully request that the rejection under 35 USC 101 be withdrawn. No new matter has been introduced as a result of these amendments.

Rejections Under 35 USC 102

In light of the amendments to claim 5, the Applicants respectfully request the removal of the rejections under 35 USC 102 as being anticipated by US Patent No. 6,701,324 to Cochran et al. As mentioned above, claim 5 has been amended to cover statutory subject matter. Additionally, claim 5 has been amended to include the features of defining a data structure with a root level having a node group, the node group having k number of nodes, each of the k number of nodes sharing a pointer, each of the k number of nodes stored contiguously in memory, wherein the k number is equal to a number of multiple queues; associating the multiple queues with respective nodes; and assigning a value representing the corresponding priority to the respective nodes. These features are supported by Figures 7, 8, 18A, 18D and the corresponding text. Cochran fails to anticipate these features. Accordingly, the Applicants respectfully request that the rejection to claim 5 be withdrawn in light of this amendment. Claims 6-10 depend from claim 5 and are likewise patentable over the cited reference for at least the same reasons. The Applicants would further submit that the features defined through claims 6-10 further provide additional subject matter that is not anticipated by the cited reference.

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Amdt. dated June 9, 2005
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Applicants respectfully request a Notice of Allowance based on the foregoing remarks.

If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 774 6921. If any other fees are due in connection with filing this amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ALTEP072). A copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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